Single Bench

CF100L

IN THE HIGH COURT OF JUDICATURE AT

BILASPUR (C.G.)

W.P.(S) NO. 5167 /2006

PETITIONER : Itwari Lal Ajgale
Aged about 61years
S/o. Shri Sadhram Ajgale
Block Education Officer,
Gharghoda, Block-Gharghoda,
Tahsil and District Raigarh (C.G.)

P.R. No. 5199/16
Presented by D.N. Yadav
dated 18/11/16

VERSUS

RESPONDENTS :1. The State of Chhattisgarh
Through – the Secretary
Department of Tribal Welfare
D.K.S. Bhawan Raipur (C.G.)

RECEIVED-COPY
18/11/16
CLERK to A. G. BILASPUR

2. The Collector
Raigarh, District Raigarh (C.G.)

3. Assistant Commissioner
Tribal Welfare Department
Raigarh (C.G.)

4. D.P. Chaudhari
Acting Principal
Government Higher Middle School
Gharghoda, District Raigarh
(C.G.)

WRIT PETITION UNDER ARTICLE 226/227 OF THE

CONSTITUTION OF INDIA

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(66)

HIGH COURT OF CHHATTISGARH AT BILASPUR

W.P. (S) No. 5167 of 2006

Petitioner — Itwari Lal Ajgale

Versus

Respondents — The State of Chhattisgarh & others

SB: Hon'ble Mr. Justice **Satish K. Agnihotri, J**

Shri Raghvendra Pradhan, Advocate for the petitioner.

Shri Sushil Dubey, Govt. Advocate for the respondents No. 1 to 3.

None for the respondent No.4.

ORDER

(Passed on this 13th day of February, 2007)

The following order of the Court is passed by **Satish K. Agnihotri, J.**

1. Learned counsel appearing for the petitioner submits that the impugned order dated 31.8.2006 (Annexure P/1) was not passed in accordance with the transfer policy, wherein it is provided that during the ban period if any transfer order is passed, the same should be done in coordination with the Chief Minister.
2. Shri Sushil Dubey, learned Govt. Advocate fairly concedes and submits that this order was not passed in coordination with the Chief Minister, thus it is contrary to the transfer policy.
3. Accordingly, in view of the submissions made herein above, the petition is allowed and the transfer order dated 31.8.2006 is quashed. However, the respondents/State is at liberty to pass appropriate order, in public interest on account of administrative exigency, if so found. No order as to costs.

Certified copy, as per Rules.

Sd/-
Satish K. Agnihotri
Judge

Thakur